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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,578	01/11/2002	Junichi Otsuka	81747.0212	8517

26021 7590 02/23/2007  
HOGAN & HARTSON L.L.P.  
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SUITE 1400  
LOS ANGELES, CA 90067

EXAMINER
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CAO, DIEM K

ART UNIT	PAPER NUMBER
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2194

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/045,578	OTSUKA ET AL.	
	Examiner	Art Unit	
	Diem K. Cao	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-18 are pending. Applicant has amended claims 1, 8 and 16.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/26/2007 has been entered.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 7-8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epson et al. (OLE for Retail POS – Application Programmer's Guide) in view of Spinks et al (U.S. 2001/0029534).**

As to claim 1, Epson teaches a peripheral device connected to a host computer (see diagram on page 11), the host computer running an operating system (Operating system; page 11) and an application capable of controlling the peripheral device (Application; see diagram on

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page 11), the host computer including a device control system for controlling the peripheral device through the operating system (OPOS Control; pages 11-12), the device control system including a first object (Control object; pages 11-12) providing a device class interface to the application (A Control Object exposes a set of properties, methods and events to an application for its device class; page 12 and see diagram on page 11) and a second object providing an interface for the peripheral device to the first object (A Service object ... with multiple device classes; page 12 and see the diagram on page 11), the second object recording status change data indicating a change in a device status (StatusUpdateEvent:Report a change in the device's status, the Service Object enqueues events as they occur; page 22 and When the application is ready ... a DataEvent; page 24).

Epson does not explicitly teach a status change data recording unit in the second object for continuously recording status change data indicating each sequential change in a device status, and a recording condition unit for selecting the data to be recorded by defining one or more recording conditions. However, Epson teaches the second object capable of receiving and recording status change data of a device (StatusUpdateEvent:Report a change in the device's status, the Service Object enqueue events as they occur; page 22 and When the application is ready ... a DataEvent; page 24). Spinks teaches a system for continuously tracked the device's status, and detecting the change in the connection to the devices (as network devices are relocated within the building this information is continually tracked and the new location information is automatically updated; page 2, paragraph 18. Also see paragraphs 63-64, and 82). Curtis teaches selectively to send and receive data according to defined rules while passively monitoring the communication data (col. 3, lines 24-40).

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It would have been obvious to one of ordinary skill in the art that there would be functions (unit) to carry out the receiving and recording functionality of the object in the system of Epson, and would be motivated to combine the teaching of Epson, Spinks and Curtis because it would provide a information collection mechanism that can maintain an accurate inventory of all hardware devices and their status, and selectively monitoring the data to send to the host.

As to claim 7, Epson teaches the device control system is OLE for Retail POS (The OLE for Retail POS; page 11), the first object is a control object (Control Object or CO; pages 11-12), and the second object is a service object (Service Object or SO; pages 11-12).

As to claim 8, it is the same as of claim 1 and is rejected under the same ground of rejection.

As to claim 14, see rejection of claim 7 above.

**5. Claims 2-6, 9-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epson et al. (OLE for Retail POS – Application Programmer's Guide) ) in view of Spinks et al (U.S. 2001/0029534) and Curtis (U.S. 5,712,629) further in view of Gresham (U.S. 6,741,558 B1).**

As to claim 2, Epson teaches a receiving unit for receiving status data indicating a device status from the peripheral device (StatusUpdateEvent:Report a change in the device's status, the

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Service Object enqueue events as they occur; page 22).

Epson does not teach a status change data detection unit for detecting status data that changed as status change data based on the status data received by the receiving unit and previously received status data. However, Gresham teaches unit for detecting status data that changed as status change data based on the status data received by the receiving unit and previously received status data (col. 7, lines 25-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Epson and Gresham because it provides a method to detect whether an event receive from the device is a status change event.

As to claim 3, Epson does not explicitly teach a recorded data editor for editing the status change data to status change recording data for recording to the status change recording unit. Gresham teaches a recorded data editor for editing the status change data to status change recording data for recording to the status change recording unit (col. 7, lines 31-36).

As to claim 4, Gresham teaches a recorded data evaluation unit for determining, based on predefined recording conditions, whether the status change data detected by the status change data detection unit is data to be recorded in the status change recording unit (col. 7, lines 36-44).

As to claim 5, Epson teaches the status change data includes error status and/or off-line status data (OPOS\_S\_ERROR; page 18 and page 27). Gresham teaches the recording conditions include information indicating whether the error status and/or off-line status data is to be

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recorded (col. 7, lines 36-44).

As to claim 6, Gresham teaches a recorded data generating unit for converting the status change data detected by the status change data detection unit to a text message and adding time information to the text message to generate the status change recording data (col. 7, lines 33-36 and 48-60).

As to claims 9-13, see rejections of claims 2-6 above.

As to claim 15, see rejections of claims 8-14 above.

As to claim 16, see rejections of claims 1, 2, 4 and 6 above.

As to claim 17, see rejection of claim 5 above.

As to claim 18, see rejection of claim 7 above.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

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*Conclusion*

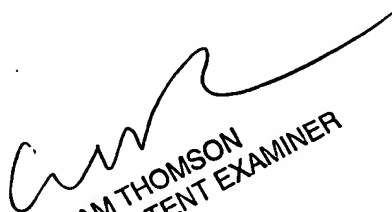
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The examiner can normally be reached on Monday - Friday, 7:30AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC  
February 19, 2007

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER